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U.S. DISTRICT COURT _____
U.S. BANKRUPTCY COURT _____
DISTRICT OF IDAHO _____

OCT 22 2004

_____ M. REC'D _____
LODGED _____ FILED _____

8 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 KENNETH LAMAR PUGH,

13 Defendant.
14

} Case No. CR 02-00114-S-BLW

} MOTION FOR DETENTION

15 The United States of America, by and through Thomas E. Moss, United States
16 Attorney for the District of Idaho, and George W. Breitsameter, Assistant United States Attorney
17 for the District of Idaho, moves the Court, pursuant to 18 U.S.C. §§ 3142(a)(4) and 3142(e), for
18 an order directing that a hearing be held for the purpose of holding the defendant, **Kenneth**
19 **Lamar Pugh**, without bail prior to trial.

20 () Pursuant to Title 18 U.S.C. § 3142(f), the United States asks for a continuance
21 of _____ days from the date of the defendant's first appearance before a judicial officer.

22 The continuance is requested in order for an Assistant United States Attorney to prepare for the
23 Detention Hearing, and arrange for witnesses.

24 The prosecution will introduce evidence as follows pursuant to the specific sections of
25 Title 18, United States Code as indicated:

26 () §3142(f)(1)(A) - a crime of violence;

27 () §3142(f)(1)(B) - an offense for which the maximum sentence is life imprisonment
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1 or death;

2 () §3142(f)(1)(C) - an offense for which a maximum term of imprisonment of ten
3 years or more is prescribed in the Controlled Substances Act (21 U.S.C. § 801, et seq.), the
4 Controlled Substances Import and Export Act (21 U.S.C. § 951, et seq.), or Section 1 of the Act
5 of September 15, 1980 (21 U.S.C. § 955a);

6 () §3142(f)(1)(D) - any felony committed after the person had been convicted of two
7 or more prior offenses described in §3142(f)(1)(A) through (C), or two or more State or local
8 offenses that would have been offenses described in §3142(f)(1)(A) through (C) if a
9 circumstance giving rise to Federal jurisdiction had existed;

10 (✓) §3142(f)(2)(A) - a serious risk that the person will flee;

11 () §3142(f)(2)(B) - a serious risk that the person will:

12 () obstruct or attempt to obstruct justice, or

13 () threaten, injure, or intimidate, or attempt to threaten, injure, or
14 intimidate, a prospective witness or juror; or

15 () otherwise pose a danger to any other person or the community.

16 DATED this 22nd day of October, 2004.

17 THOMAS E. MOSS
18 United States Attorney
19 By:

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21 GEORGE W. BREITSAMETER
22 Assistant United States Attorney
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee in the United States Attorney's Office for the District of Idaho and that a true and correct copy of the foregoing MOTION FOR DETENTION was served on all parties named below this 22nd day of October, 2004.

☐ United States Mail, postage prepaid

☐ Hand delivery

☒ Facsimile Transmission

☐ Federal Express

☐ Electronic Mail

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